

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Keith Fisher,

Civil No. 06-1439 (PAM/AJB)

Petitioner,

v.

AMENDED ORDER

R.L. Morrison,

Respondent.

This matter is before the Court on Petitioner's Application to Proceed In Forma Pauperis ("IFP") on Appeal. The Court previously entered an Order on July 13, 2006, granting the Application but requiring Petitioner to pay the appellate filing fee in installments. The previous Order is stricken, and this Amended Order is substituted for that Order.

The filing fee requirements of the Prisoner Litigation Reform Act, 28 U.S.C. § 1915, do not apply to habeas corpus actions. Malave v. Hedrick, 271 F.3d 1139, 1140 (8th Cir. 2001). Because Petitioner brings this action under 28 U.S.C. § 2241, the Court need only determine whether Petitioner is entitled to IFP status. Based on his Application, the Court finds that Petitioner is entitled to such status.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's Application to Proceed In Forma Pauperis on Appeal (Docket No. 17)

is **GRANTED**; and

2. This Amended Order is substituted for the Court's Order of July 13, 2006 (Docket No. 18).

Dated: July 18, 2006

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge